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TAGS: [CVIS](#) [PGOV](#) [PREL](#) [EUN](#) [ASEC](#) [SI](#)  
SUBJECT: INTERIOR MINISTER ON VWP, DATA SHARING, AND MORE

Classified by: DCA Maryruth Coleman for reasons 1.4(b) and (d)

11. (U) Sensitive but unclassified. Please handle accordingly.

Summary  
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12. (SBU) In a March 5 meeting with Charge dAffaires (CDA) Maryruth Coleman, Interior Minister Dragutin Mate offered insight into the European Union's internal divisions over the U.S. Visa Waiver Program (VWP), promised not to let the VWP hijack next week's US-EU Troika Justice and Home Affairs (JHA) Ministerial meeting, agreed that the High Level Contact Group's work on data protection common principles should be a key deliverable for the US-EU Summit in June, and shared observations on recent developments in the Balkans, including Kosovo independence. End summary.

Visa Waiver Program  
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13. (SBU) Noting the recent controversy over the Czech signing of the VWP Memorandum of Understanding (MOU), the CDA pointed out that the USG has a very limited window to add new VWP members, and that any delays by the EU could mean fewer new members. Although the VWP is strictly a bilateral program, the CDA assured Mate that the USG did not wish to divide the EU and would work with the Commission. She also firmly requested Mate's help in making sure that VWP concerns do not hijack the US-EU JHA Troika Ministerial meeting in Slovenia on March 12-13.

14. (SBU) Mate said the issue had divided the EU Member States, none of which had shown to the others the MOUs presented by the USG. Mate said the MOU presented to Slovenia included some issues which he believed fell under EU competency, and therefore he felt he could not and should not sign it in its present form. He believed that the Czech MOU contained different language and provisions, which perhaps did not as directly fall under EU competency.

15. (SBU) He noted that the VWP MOUs were not international agreements, but rather were simply statements of future direction. He called them "political acts" and that the EU's real concern was over the negotiating of any bilateral implementing agreements of these MOUs. He said he hoped that the March 5 COREPER meeting in Brussels would establish much-needed "red lines" to make it clear for all Member States and for the USG what the common rules and limits would be.

16. (C) He elaborated that the EU divide now seemed to be between current VWP members and aspiring VWP members, primarily over the

issue of the proposed Electronic Travel Authorization (ETA) system. He felt that aspiring VWP states could sell the idea to their citizens that the ETA was an improvement over current visa requirements. But current VWP members would see the ETA as a step backwards and would view it as being like a visa Q advanced USG approval to be obtained before travel, with the traveler having to wait some (as yet unknown) period of time before receiving an answer required in order to make travel arrangements. He described this as a Qhard sellQ to the citizens of current VWP members, and he questioned whether they would accept it. For this reason, current VWP members are pressuring Slovenia to slow down any VWP talks with the USG.

¶17. (SBU) Mate noted the limited window for VWP expansion, and said that it posed problems in that likely only 5 or 6 new states could join during this window, but there are 12 EU aspirants, and those not able to join at this time would cause even more trouble within the EU on visa reciprocity issues.

¶18. (C) On the margins of the CDAQs meeting with Mate, SloveniaQs main working-level point of contact for VWP issues told conoff that, within the EU, there was also a problem of attitude. While Estonia was being forthright about its goal of joining the VWP, it treated the Commission with respect and promised to keep the Commission in the loop. But a Czech Republic representative in Brussels told a Commission meeting that Qthe Czechs are not slaves to the CommissionQ and vowed to sign the VWP despite Commission objections, which alienated many.

#### Data Sharing

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¶19. (SBU) The CDA thanked Mate for SloveniaQs leadership that made possible the recent progress on finding common principles for data protection and data sharing in the law enforcement context. She asked Mate to keep pushing this issue at the JHA Troika Ministerial meeting next week and emphasized it as a true win-win as a deliverable for the June US-EU Summit meeting in Slovenia.

¶10. (SBU) Mate expressed surprise at the recent progress on this issue, but said he was happy about it, and agreed that this was an achievable goal for the summit. He said he understood that, of the original 10 topics for discussion under this umbrella, only Qone and a halfQ (NFI) remain unresolved.

#### Kosovo Independence

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¶11. (C) Mate told CDA that after the damage to the Slovene and American Embassies in Belgrade during anti-Kosovo demonstrations, Slovene Border Police tightened controls to prevent suspected Serb extremists, even those with valid Slovene visas, from participating in subsequent planned demonstrations in Slovenia. He offered to share with RSO the videotape from the Slovene Embassy in Belgrade that shows Serbian police guards apparently obeying orders from a superior officer to permit hooligans to enter and ransack the Slovene Embassy.

¶12. (C) Mate expressed sympathy for the difficult situation that the Serbian government and people are in, but said they must accept Kosovo independence as inevitable. He said the Serbian government has not yet realized that the damage to the Embassies will also cause long-lasting damage to SerbiaQs relations with the region and the world. Mate said he would quietly fly to Kosovo on March 7 to meet with Slovene police units participating in the EU mission, including in the troubled town of Mitrovica.

#### The EU and the Balkans

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¶13. (SBU) Mate noted that the EU was in talks with Serbia, Macedonia, Montenegro, and Albania to liberalize visa requirements for their citizens to travel to the EU. Mate and EU Commission Vice President Franco Frattini will meet with Albanian officials in Tirana on March 7 for the next round of these talks, which are recognition of the progress that each of these countries has made in document security and border control measures.

¶14. (SBU) Mate pointed out that Slovenia used to share the same legal system and police organizational structure as these other countries until its 1991 independence, so it can offer lessons learned from its own transition to EU methods and standards. Slovenia currently assists each of these countries with training, such as demonstrations of border police practices.

¶15. (C) Mate also said that in each of the last two years, he has quietly met with his counterparts from the former Yugoslav states to build personal relationships and foster cooperation. He said the absence of any international bodies (he cited the OSCE and the EU) made the gatherings more relaxed and friendly. The group met in August 2006 in Montenegro and in October 2007 in Serbia, and would next meet later in 2008 in Croatia. He said the meetings had translated into on-the-ground cooperation, such as the 2007 seizure in Croatia of a network that illegally manufactured and distributed military-caliber weapons.

Comment  
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¶16. (C) Mate and Slovenia are in a difficult situation regarding the VWP. As the only new EU Member State that is also in the VWP, Slovenia has often fielded uncomfortable questions from VWP aspirants. Now, holding the Presidency, Slovenia is even more in the spotlight, trying to balance the many competing EU interests on this issue. On data sharing, Mate is in a good position as the JHA Council Chair to help bring the EU along towards securing a firm deliverable in time for the June summit.

COLEMAN